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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/731,889	12/07/2000	Shinji Isokawa	362-51	1026
23869	7590	08/14/2002	EXAMINER	
HOFFMANN & BARON, LLP 6900 JERICHO TURNPIKE SYOSSET, NY 11791			LOUIE, WAI SING	
		ART UNIT	PAPER NUMBER	
		2814		

DATE MAILED: 08/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 09/731,889 Examiner Wai-Sing Louie	Applicant(s) ISOKAWA, SHINJI Art Unit 2814
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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 May 2002.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-4 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glenn et al. (US 6,228,676) in view of Sterbal (US 3,935,501).

With regard to claim 1, Glenn et al. disclose an IC chip packaging device (col. 2, line 40 to col. 9, line 55 and fig. 1) comprising:

- A pair of electrodes 22 including an inner 23 and an outer portion 27 (fig. 1);
- A step formed in inner portion of the electrodes 23 within the mold 42, the step having a height increasing from outer part 27 to inner part 23 of the electrode 22 (fig. 1).
- Glenn et al. disclose a mold encapsulation 42, but do not disclose the encased chip is a LED. However, it is common to encapsulate a LED chip in a mold. Sterbal discloses a LED chip could be encapsulated in a mold 20 (Sterbal col. 3, lines 1-3 and fig. 1). Sterbal teaches encapsulating a LED chip could form a hard clear mass which not only protects and strengthens the assemble but also acts as a lens (Sterbal col. 3, lines 5-8). Therefore, it would have been obvious to one with

Art Unit: 2814

ordinary skill in the art to encapsulate a LED chip in order to strengthen the assembly and to act as a lens for the LED.

With regard to claim 2, Glenn et al. disclose the electrode 22 includes a Cu layer and an Au layer (col. 3, lines 1-8), but do not disclose the step is a Cu layer. However, Glenn et al. disclose the metallization is typically formed of copper (col. 2, line 67 to col. 3, line 1). Since copper is an acceptable conductive material, therefore, it is obvious to use Cu to form the step layer.

With regard to claims 3 and 4, please see the description of record.

Response to Arguments

Applicant's arguments filed 5/29/02 have been fully considered but they are not persuasive.

- Applicant argues that Glenn et al. forms a step on the electrode to prevent the solder from reaching the metal wire 22 and the step electrode of the present invention is different, which can be attached to a mounting surface without requiring the substrate. However, claim 1 does not claim the above-mentioned limitation. The argument is moot.
- Applicant argues Höhn et al. casts the light-emitting chip in a wavelength converting transparent epoxy resin, which is different from the mold taught in claim 1. The reference Höhn et al. is no longer used in this office action. The argument is moot.

- Applicant argues that the combination of Glenn et al. and Höhn et al. is improper. There is no teaching and suggestion to mold a light-emitting chip into Glenn's package. Glenn discloses the chip is encapsulated in a mold to form an IC package (fig. 1). The chip could be a LED chip. The reference Sterbal provides a motivation. Please see above rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2814

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai-Sing Louie whose telephone number is (703) 305-0474. The examiner can normally be reached on 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (703) 306-2794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.


WSL
August 7, 2002


OLIK CHAUDHURI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800